

Application No: 18/4558N

Location: The Stables, 95 Cobbs Lane, Hough, Crewe, CW2 5JN

Proposal: Proposed change of use and alterations to former stables to form single dwelling.

Applicant: Mr Simon Clutton

Expiry Date: 06-Nov-2018

SUMMARY

The application is a stable building located within the open countryside.

Policies PG.6 (Open Countryside) of the Cheshire East Local Plan and NE.16 (Re-use and Adaptation of a Rural Building for Residential Use) of the Crewe and Nantwich Replacement local Plan 2011 allow for the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension.

The existing building is within the Open Countryside and is of a sound breeze block and brick construction and will not require extensive works to facilitate a residential conversion. Therefore, the proposed development is considered to be in accordance with the above policies.

Access will be via the existing highways arrangements and sufficient parking space is achievable within the confines of the site.

The proposal is considered to be an acceptable form of development, and therefore a recommendation of approval with conditions is made.

SUMMARY RECOMMENDATION

REASON FOR REFERRAL

This application had been referred to the Southern Planning Committee by Cllr Janet Clowes for the following reasons:

1. The site lies outside the Hough Settlement Boundary (and outside the Settlement and Infill Boundary currently proposed in the SADPD emerging policy FD06).

2. This site does not comply with any of the rural exception site criteria as set put in the CELP.

3. This site is situated adjacent to the NE boundary of Hough Common. This is an important area of Public Open Space and woodland managed by the Parish Council for Hough residents.

Already in 2018 planning permission has been granted for a total of 8 dwellings on three 'brownfield' sites to the East and South of Hough Common requiring a single lane track (Birch Lane) as access for what were two dwellings and a dog kennels business. (18/2288N, 18/1251N, 17/6335N)

The 'Stables' application currently under consideration (also technically a 'brownfield site') requires a single lane track as access that is also a well-used PROW to the West of Hough Common.

This represents a significant increase in housing stock in a rural setting that is outside the settlement boundary and will inevitably create an urbanisation of the setting of the common that the Parish Council is deeply concerned about.

4. The Parish Council is also concerned that the unmade track to the stables AND the PROW has been re-engineered prior to submission of this application, without planning permission and to the detriment of users of the PROW. (These issues were reported to the CE PROW Team and Planning Enforcement earlier this year), effectively creating a road alongside the Common which again has served to 'urbanise' part of the woodland walk system managed by PROW and the Parish Council.

5. The site still has historic (and primarily under-utilised) land-use classifications on the site and on land owned by the applicant beyond. It is proposed that this land is to be accessed from the same access point used by the dwelling.

DETAILS OF PROPOSAL

This application seeks planning permission the conversion of the existing stable building to form a single dwelling and will include a single storey extension which previously formed part of an extant permission. Other than this there will be minimal external alterations other than the introduction of bi-fold doors to the south east and south west elevations, a single window to the south east gable of the proposed extension and an enlargement of a window opening to house a door to the North east elevation.

It is proposed that the building be finished with oak cladding.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a stable building situated within the Open Countryside as defined by the Local Plan Proposals Map.

The overall site is laid to hardstanding with other equestrian/agricultural buildings close to the application building and on neighbouring land. Access is found along a private unadopted track off Cobbs Lane that serves the application site and a handful of other properties.

RELEVANT HISTORY

10/2594N - Lawful development certificate - Storage of Building Materials, Equipment/Cabins/Containers - positive certificate
10/2592N - Lawful development certificate - Engineering Operations to Form Ramps/Mounds for Use in Association with Motor Sport and Equestrian Activities - Negative certificate
P03/0779 - Alterations and Change of Use from Stables to Offices - withdrawn
P95/0224 - Calf rearing unit including mobile homes - approved with conditions 1995
7/20199 - Use of land for the stabling of horses and erection of stables and hay barn - approved with conditions 1991

POLICIES

Neighbourhood Plan

Wybunbury and Combined Parishes - not yet reached reg 14 stage (reg 7). No weight can be given

National Planning Policy Framework (NPPF)

Cheshire East Local Plan Strategy – Submission Version

PG6 – Open Countryside
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 – Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerows and Woodland

Local Plan policy

BE.1 – Amenity
BE.3 – Access and Parking
BE.4 – Drainage, Utilities and Resources
NE.5 Nature Conservation and Habitats
NE.9 Protected Species
NE.16 Re-use and Adaptation of a Rural Building for Residential Use

BE.1 Amenity
BE.3 Access and Parking
BE.4 Drainage, Utilities and Resources
BE.5 Infrastructure
RES.5 Housing in the Open Countryside

National policy

NPPF

CONSULTATIONS (External to Planning)

Public Rights of Way - No objection

Environmental Protection - No objection

Ecology - No objection

VIEWS OF LOCAL TOWN/PARISH COUNCIL:

Hough Parish Council:

Whilst this application may technically comply with recent changes in planning policy allowing the conversion of an agricultural building into a dwelling they have the following concerns:-

1. The site lies outside the Hough Settlement Boundary (and outside the Settlement and Infill Boundary currently proposed in the SADPD emerging policy FD06).

2. This site does not comply with any of the rural exception site criteria as set out in the CELP.

3. This site is situated adjacent to the NE boundary of Hough Common. This is an important area of Public Open Space and woodland managed by the Parish Council for Hough residents.

Already in 2018 planning permission has been granted for a total of 8 dwellings on three 'brownfield' sites to the East and South of Hough Common requiring a single lane track (Birch Lane) as access for what were two dwellings and a dog kennels business. (18/2288N, 18/1251N, 17/6335N)

The 'Stables' application currently under consideration (also technically a 'brownfield site') requires a single lane track as access that is also a well-used PROW to the West of Hough Common.

This represents a significant increase in housing stock in a rural setting that is outside the settlement boundary and will inevitably create an urbanisation of the setting of the common that the Parish Council is deeply concerned about.

4. The Parish Council is also concerned that the unmade track to the stables AND the PROW has been re-engineered prior to submission of this application, without planning permission and to the detriment of users of the PROW. (These issues were reported to the CE PROW

Team and Planning Enforcement earlier this year), effectively creating a road alongside the Common which again has served to 'urbanise' part of the woodland walk system managed by PROW and the Parish Council.

5. The site still has historic (and primarily under-utilised) land-use classifications on the site and on land owned by the applicant beyond. It is proposed that this land is to be accessed from the same access point used by the dwelling.

10/2594N/1 Mixed use: non-commercial riding stables (Use Class D2: Assembly and Leisure) and the storage of surplus materials and equipment associated with the operation of construction business (Use Class B8: Storage and Distribution)

The Parish Council therefore requests that this application is REFUSED

However should it be approved, the Parish Council request that

Condition 1: the Class D2 use is rescinded

(REASON: for the removal of doubt: the stable and its environs now become a dwelling and as such this classification is obsolete).

Condition 2: the Class B8 use is removed

(REASON: Any B8 activity; (construction, storage and distribution), is incompatible situated adjacent to the new dwelling and where such activity is reliant on a single, SHARED access, where both domestic and B8 activities are reliant on a narrow track to access the site, that is also a well-used PROW, is the main access of two other householders and adjacent to Public Open Space. This represents a conflict of 'Neighbouring Uses' and is contrary to the retained CNBC Policy BE1).

Condition 3: That all Permitted Development rights on the new dwelling are removed.

(REASON: (3i) To respect the original footprints of the stable and extant permission for the calf-rearing shed and retain its rural design and character in keeping with its position in the Open Countryside.

(3ii) to prevent over-massing on a site that is constrained in size and where constrained access is a material factor.

In addition, all conditions as proposed by other statutory consultees shall be applied.

The application of these conditions will thus protect the rural character of this site, outside the settlement boundary. They will provide reasonable, commensurate and enforceable protections in regard to the PROW and Public Open Space thus preventing conflict of 'Neighbouring Uses' in this constrained area.

OTHER REPRESENTATIONS:

Three letters of representation have been received from the occupiers of neighboring properties which support the proposal.

OFFICER APPRAISAL

Principle of Development

The site is designated as being within the Open Countryside where Policy PG.6 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan which restricts development and seeks to protect the Open Countryside for its own sake. Policy NE.16 allows for the conversion of rural buildings, subject to a number of criteria. This includes exploring the potential for alternative uses first. However, this latter point is not consistent with the NPPF which allows for the re-use of redundant and disused rural buildings for residential purposes. The conversion of buildings within the Open Countryside for residential purposes is therefore considered to be acceptable as a matter of principle, subject to satisfying the other criteria of Policy NE.16, design, amenity, highways and ecology matters.

Criterion 3 (ii) of PG.6 of the Cheshire East Local Plan allows for the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension.

The existing stable building as it stands is constructed of breeze block with a facing brick outer skin, the roof is also of substantial construction. The proposed extension is relatively small in scale and forms part of a previously approved development which has commenced and is, therefore, extant. As such, the proposed extension of the stable could be carried out at any point regardless of the current application.

Given the above, it is considered that the existing stable building will not require extensive alteration, rebuilding or extension to facilitate the proposed residential conversion.

Policy NE.16 of the Crewe and Nantwich Local Plan echoes the above along with requirements that:

- The form, bulk and general design of the building is in keeping with the surroundings
- Any conversion work respects the local building styles and materials
- The traffic generated by the new use can be safely accommodated by the site access and the local road system
- There is sufficient room within the curtilage of the building to park the vehicles of those who will live or visit there without detriment to the visual amenity of the countryside
- No new fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it will be erected if they would harm the visual amenity of the countryside.

With the above in mind, the proposed development will keep the overall bulk and general design of the existing building and the work will respect the locality.

Therefore, it is considered that the proposed development accords with the requirements of Policy NE.16 of the Crewe and Nantwich Replacement Local Plan 2011.

Design Considerations

Impact on Open Countryside and Landscape

Stable buildings are an acceptable form of development within the Open Countryside, the proposed development will retain much of this style and character. The proposed extension is

part of an extant permission and can be constructed at any time, further to this it is of a size and design that is sympathetic to the host building.

The proposed external changes, other than the proposed extension, to the existing building will be minimal and will not drastically change the appearance from the present.

The proposed extension is single storey and considered to be appropriate in terms of scale, bulk and mass to the host building. It will remain subordinate and will not be readily visible from public viewpoints due to the existing boundary treatments, buildings and surrounding vegetation.

In terms of boundary treatments there will be no change to the existing mix of fencing and hedgerow.

Hough Common is located to the south of the application site, however given the nature of the proposed development, and the existing access arrangements, it is not considered that there will be any significant harm caused.

Overall it is considered that the proposed development is in keeping with the locality in respect of style and materials. Furthermore, the form, bulk and mass of the building, as extended, will be sympathetic to the Open Countryside and will not lead to any significant visual harm.

Public Right of Way

The Council's Definitive Map Officer of the Public Rights of Way Team has been consulted. No objections have been raised subject to a number of conditions and informatives.

The Public Right of Way is currently used to access the existing properties as well as the application site. Therefore, there will not be any real change to the existing situation. Furthermore, this access is beyond the extent of the red edge of the application and cannot be controlled by the LPA.

Notwithstanding the above, no change to the surface of the right of way can be approved without consultation with the PROW Unit. The developer should be aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed; such interference may well constitute a criminal offence. However, as this is outside of the application site and subject to separate legislation, it is a matter under the control of the PROW Unit.

In line with this, conditions as recommended by the Definitive Map Officer will be attached to any permission.

Impact on Residential Amenity

In terms of neighbouring residential amenity there are several dwellings close to the application. However, given the separation distances being well in excess of 50 metres to the nearest property and the existing substantial boundary treatments it is not considered that the proposed development will have any detrimental impact on residential amenity.

Impact on Highway Safety

The proposed development will be accessed from an existing track that leads from Cobbs Lane serving the application site and other properties. There will be no change to this.

The access to the application site will not change from the existing arrangements. The Cheshire East Local Plan Appendix C: Parking Standards recommend that a two bedroom dwelling has two car parking spaces. The proposal includes sufficient room within the site to accommodate the recommended parking spaces.

The issues raised regarding the 're-engineering' of the access track is a separate matter not relevant to this application and has been dealt with separately.

Impact on Biodiversity

The council's Ecologist has been consulted and has raised no objections in terms of the proposed developments impact on protected species. This is subject to a condition requiring the existing hedgerows to be retained and enhanced as part of the development.

Other Matters

It is acknowledged that small scale housing developments have recently been approved on sites close to the application site, however each application is determined on its own individual merits having regard to adopted planning policy and any other material consideration. Other permissions locally do not form material planning considerations to be considered during the determination of this application.

Summary

The application proposals are considered to be acceptable in land use planning principle terms. The scheme is of an acceptable design and would not result in a significant impact on the character and appearance of the open countryside. The impact on residential amenity, highway safety and biodiversity is considered to be acceptable.

RECOMMENDATIONS

APPROVE with conditions

- 1. Time limit for commencement of development (3 years)**
- 2. Approved Plans**
- 3. Materials as per application**

- 4. Scheme of landscaping to be submitted and approved by the LPA- inc hedgerows to be retained**
- 5. Boundary treatments to be submitted and approved by the LPA**
- 6. Drainage scheme be submitted and approved by the LPA**
- 7. Removal of PD (extensions/alterations, gates, walls, fences, enclosures)**
- 8. Submission of piling method statement (if applicable)**
- 9. Submission of scheme to minimise dust emissions**
- 10. Provision of electric vehicle infrastructure**
- 11. Contaminated land**
- 12. Breeding bird survey (1st March – 31st August) prior to removal of vegetation or conversion of building**
- 13. No damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way**
- 14. Vehicle movements are arranged so as not to unreasonably interfere with the public's use of the way**
- 15. The safety of members of the public using the right of way is ensured at all times**

Informatives:

- 1. NPPF**

